

OPINION 713

RANA FASCIATA SMITH, 1849 (AMPHIBIA): ADDED TO THE OFFICIAL LIST WITH SUPPRESSION OF *RANA FASCIATA* BURCHELL, 1824, UNDER THE PLENARY POWERS

RULING.—(1) Under the plenary powers the following specific names are hereby suppressed for the purposes of both the Law of Priority and the Law of Homonymy:

- (a) *fasciata* Burchell, 1824, as published in the binomen *Rana fasciata*;
- (b) all other uses of the specific name *fasciata*, in the combination *Rana fasciata* prior to that by Smith, 1849.

(2) The following specific names are hereby placed on the Official List of Specific Names in Zoology with the Name Numbers specified:

- (a) *fasciata* Smith, 1849, as published in the binomen *Rana fasciata*, as interpreted by the specimen designated as neotype of *Rana fasciata* Burchell, 1824, by Parker & Ride, 1962 (a lectotype) (Name No. 2042);
- (b) *grayi* Smith, 1849, as published in the binomen *Rana grayi*, as interpreted by the lectotype designated by Parker & Ride, 1962 (Name No. 2043).

(3) The following specific names are hereby placed on the Official Index of Rejected and Invalid Specific Names in Zoology with the Name Numbers specified:

- (a) *fasciata* Burchell, 1824, as published in the binomen *Rana fasciata* (as suppressed under the plenary powers in (1) (a) above) (Name No. 806);
- (b) *fasciata*, all other uses of, in the combination *Rana fasciata* prior to that by Smith 1849 (as suppressed under the plenary powers in (1) (b) above) (Name No. 807).

HISTORY OF THE CASE (Z.N.(S.) 1253)

The present case was first submitted to the office of the Commission in September 1957. An agreed application was finally sent to the printer on 31 January 1962 and published on 10 September 1962 in *Bull. zool. Nomencl.* **19** : 290–292. Public Notice of the possible use of the plenary powers in the present case was given in the same part of the *Bulletin* as well as to the other prescribed serial publications (Constitution Art. 12b; *Bull. zool. Nomencl.* **21** : 184) and to two herpetological serials. The further history of the case is explained in the note sent to Commissioners with Voting Paper (63) 40 and reproduced below:

“Dr. H. W. Parker and Dr. W. D. L. Ride (*Bull. zool. Nomencl.* **19** : 290–292) have made application to the Commission for the preservation of the name *Rana fasciata* in its accustomed sense by designation of a neotype for Burchell’s species. (Alternative A). This application was supported by Dr. J. C. Poynton (*Bull. Zool. Nomencl.* **20** : 255).

“Professor Hobart M. Smith, whilst in agreement with the need to conserve the name *Rana fasciata* for the species to which it has been applied for over 100 years, disagrees with the proposed method of achieving this. Professor Smith proposes instead that the Commission should suppress the name *Rana fasciata*

Burchell, 1824, together with all other uses of the same name prior to that by Andrew Smith 1949, and that the proposed neotype for Burchell's species (one of Andrew Smith's specimens) should be designated as lectotype of *Rana fasciata* Andrew Smith, 1849 (Alternative B). The exact proposals needed to achieve this are set out below:

- (1) to suppress under the plenary powers, for the purposes of both the Law of Priority and the Law of Homonymy, the specific name *fasciata* Burchell, 1824, as published in the binomen *Rana fasciata*, and all other uses of the specific name *fasciata*, in the combination *Rana fasciata* prior to that by Smith, 1849;
- (2) to place the following specific names on the Official List of Specific Names in Zoology;
 - (a) *fasciata* Smith, 1849, as published in the binomen *Rana fasciata* (as interpreted by the specimen designated as neotype of *R. fasciata* Burchell, 1824, by Parker & Ride, 1962) (a lectotype)
 - (b) *grayi* Smith, 1849, as published in the binomen *Rana grayi* (as interpreted by the lectotype designation by Parker & Ride, 1962)
- (3) to place the following specific names on the Official Index of Rejected and Invalid Specific Names in Zoology:
 - (a) *fasciata* Burchell, 1824, as published in the binomen *Rana fasciata* (as suppressed under the plenary powers in (1) above)
 - (b) *fasciata*, all other uses of, in the combination *Rana fasciata* prior to that by Smith, 1829 (as suppressed under the plenary powers in (1) above)."

DECISION OF THE COMMISSION

On 11 December 1963 the Members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (63) 40, in Part 1, either for or against the use of the plenary powers to preserve the specific name *Rana fasciata* in its accustomed sense, and in Part 2, for either Alternative A or Alternative B, as set out in the accompanying note (see above). At the close of the prescribed Voting Period on 11 March 1964, the state of the voting was as follows:

Part 1. Affirmative votes—twenty-seven (27), received in the following order: China, Boschma, Hering, Holthuis, Lemche, Mayr, Riley, Miller, Stoll, Binder, Vokes, Simpson, Brinck, Jaczewski, Tortonese, do Amaral, Alvarado, Bonnet, Uchida, Obruchev, Mertens, Forest, Hubbs, Ride, Evans, Kraus, Sabrosky.

Negative votes—none (0).

Voting Papers not returned—one (1): Munroe.

Part 2. For Alternative A—thirteen (13): China, Boschma, Hering, Holthuis, Mayr, Riley, Tortonese, Bonnet, Mertens, Ride, Evans, Kraus, Sabrosky.

For Alternative B—fourteen (14): Lemche, Miller, Stoll, Binder, Vokes, Simpson, Brinck, Jaczewski, do Amaral, Alvarado, Uchida, Obruchev, Forest, Hubbs.

Commissioner Borchsenius returned a late affirmative vote in favour of Alternative A.

In returning his Voting Paper Dr. Carl Hubbs made the following comment:

"As I have strong feelings on the alternative solutions that you so properly submit for voting, I want to express my emphatic support for the use of the plenary powers to preserve the customary use of the specific name *Rana fasciata*, and particularly to express my emphatic approval of the solution (B) proposed by Hobart M. Smith. His solution is the same as Follett and I have favored in similar cases, and will propose in an application to preserve current and virtually universal but technically invalid usages for certain important Californian fishes.

"Surely when a well-known species is found to have long been passing under a technically inadequate name, the best solution is to select a usage, preferably an early usage, that appears definitely to agree with current opinion, then to have the name with the author of that usage designated by plenary powers as the valid name, with all earlier usages suppressed. Thus the familiar name is retained, with a change only in authorship and date. This course is ever so much more logical, and more likely to remain effective, than the devious method of applying the name, with the first author, to a species unknown to that author. The species name is the important element."

ORIGINAL REFERENCES

The following are the original references for names placed on the Official List and Index by the Ruling given in the present Opinion:

fasciata, *Rana*, Burchell, 1824, *Travels Interior South Africa* 2 : 32

fasciata, *Rana*, A. Smith, 1849, *Illust. Zool. S. Africa* 2 : pl. 78, figs. 1, 1a-c

grayi, *Rana*, A. Smith, 1849, *Illustr. Zool. S. Africa* 2 : pl. 78, figs. 2, 2a-c

CERTIFICATE

I certify that the votes cast on Voting Paper (63) 40 were cast as set out above, that the proposal contained as Alternative B in that Voting Paper has been duly adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission, is truly recorded in the present Opinion No. 713.

W. E. CHINA

Acting Secretary

International Commission on Zoological Nomenclature

London

13 August 1964

COMMENTS ON THE PROPOSED PRESERVATION OF *AMAUROBIUS* KOCH, 1837, AND *COELOTES* BLACKWALL, 1841. Z.N.(S.) 1625

(see this volume, pages 150-153)

By Richard L. Hoffman (*Radford College, Virginia, U.S.A.*)

Although under normal circumstances I tend to favor strict application of the rules of priority at least as regards most arthropod groups, I do feel that in this particular case, the authors have presented a special case worthy of individual attention and exception to the rules, and I therefore strongly support all of the actions proposed in paragraph 13 of the paper cited.

By B. J. Kaston (*Central Connecticut State College, New Britain, Connecticut, U.S.A.*)

I agree wholeheartedly with the views of H. W. Levi and O. Kraus and have always used the names in the same sense that they are indicating as desirable.